



City of Seattle

Edward B. Murray, Mayor

Department of Planning and Development

D. M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING & DEVELOPMENT

Application Number: 3015381

Applicant Name: Paul Pierce for Greenbuild Development, LLC

Address of Proposal: 1436 NW 62nd Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 4-story structure containing 30 residential units. No parking proposed. Existing structures to be demolished.

The following Master Use Permit components are required:

Design Review with no departures (Seattle Municipal Code 23.41)

SEPA-Environmental Determination (Seattle Municipal Code 25.05)

DPD SEPA DETERMINATION:

Determination of Non-significance

- ☒ No mitigating conditions of approval are imposed.
- ☐ Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts.

Site:

Site Zone: SM 160/85-240

Nearby Zones: West: LR3
North: LR3
South: LR3
East: LR3

Lot Area: 5,000 square feet

Current Development:

Single family residence

Surrounding Development and Neighborhood Character:

The subject site is located midblock on the north side of NW 62nd Street between 15th Avenue NW and 14th Avenue NW. 15th Avenue NW serves as the primary commercial arterial along the north south axis traveling through the Ballard Hub Urban Village. 15th Avenue NW also provides frequent transit service to the surrounding neighborhood. Along 15th Avenue NW the zoning is Neighborhood Commercial with a 40 foot height limit (NC2-40). Two parcels to the east, the zoning transitions to Lowrise Three multifamily (LR3) where the subject lot is located. The primary structures along NW 62nd Street are three-story townhouse structures built within the last 5-20 years and older 1960-1970s three-story apartment buildings. 14th Avenue NW was recently redesigned by Seattle Parks Department to create a future neighborhood park from NW 59th Street to NW 61st Street within the street right-of-way area. East of 14th Avenue NW the zoning transitions to Lowrise Two multifamily (LR2) and then Single Family (SF5000).



15th Avenue NW serves as a commercial corridor which transitions to multifamily and single family toward the east. The neighborhood consists of townhouse and apartment buildings.

No Environmentally Critical Areas are located at this site.

I. ANALYSIS - DESIGN REVIEW

EARLY DESIGN GUIDANCE MEETING: August 26, 2013

DESIGN PRESENTATION

The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number (3015381) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The EDG packet is also available to view in the project file (project number 3015381), by contacting the Public Resource Center at DPD:

Mailing Public Resource Center
Address: 700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

The applicant presented three alternatives. Each option included a residential structure containing 27 units with a primary entry along the NW 62nd Street façade. Each massing option includes ground level amenity space within the front and rear setback and at the roof deck. Bike and scooter parking spaces have been included in each option.

Massing Option One included a four story building with a symmetrical street front facade. The building provides a 6' front setback, 15'-1" rear setback, and 7' side setbacks. The primary circulation staircases are located toward the center of the building with the stair penthouse along the west and east façade. Scooter and bike parking are provided between the building and the front property line. Solid waste and recycling storage space is located along the west façade within the side setback. Massing Option One is a code complying alternative.

Massing Option Two included a four story building with an asymmetrical street front facade. The building provides a 14'-1" front setback, 12' rear setback, 5'-11" west side setbacks and 5'-4" east side setback. The primary circulation stair is located at the front and rear of the building on the west façade. Scooter and bike parking is provided along the west façade within the side setback. Solid waste and recycling will be located in the rear setback. Massing option two requires four design departures including rear and side facades, maximum façade length and minimum curbcut width.

Massing Option Three (Preferred Option) included a four story building with a symmetrical street front facade. The building provides a 13' front setback, 11'-1" rear setback and 7' side setbacks. The primary circulation stair is located along the east and west facades rear the midpoint of the structure. Scooter and bike parking is provided along between the building and the front property line. Solid waste and recycling will be located in the east side setback. Massing Option Three includes two design departures. One departure has been requested from the rear setback and another from the minimum curbcut width.

PUBLIC COMMENT

The following comments, issues and concerns were raised during the public comment portion of the Early Design Guidance meeting:

Height, Bulk and Scale

- Concerned about height, bulk and scale impacts of a four story building. Feel the building is not sized appropriately for the neighborhood.
- Felt the proposed a four-story building will be out of place on a block with predominantly three-story buildings.
- Concerned proposed structure will block light to adjacent residential structures.
- Encouraged use of light colors on building to minimize bulk of structure.
- Not supportive of setback departure request. Felt large building will be too close to adjacent buildings if departure request was granted.
- Concerned side facades will be too bulky façade and feel the design should include modulation.

- Note Massing Option B may create privacy impacts for adjacent residential structures. Massing Option B includes units directly facing adjacent building units. Felt design team should study adjacencies of unit orientation, include more scrutiny on side setback relationships and include window overall diagram and section drawings showing how massing alternatives relate to existing context.
- Felt development should provide a front setback consistent with adjacent front setbacks.

Parking

- Concerned about lack of parking provided for residents.
- Felt future neighborhood park to be constructed on 14th Avenue W will add to the parking congestion on NW 62nd Street.
- Concerned about lack of parking for moving vans. Note there is no parking on the side of the street with the proposed development.
- Noted that some adjacent apartment building tenants do not utilize parking located on site. Noted current market tenants do not have as many cars as tenants in the past.
- Supportive of alternative scooter transportation but is concerned about visual impacts and theft if scooters are in the front setback. Feel scooter parking should be provided as a secure space interior to the site.

Amenity Area and Rooftop Decks

- Concerned about noise impacts of roof deck.
- Felt that a roof deck is not appropriate for the neighborhood and note there are no roof decks on the street.
- Encourage integration of pet spaces into the amenity space design.
- Encourage site design that includes amenity space at ground level in front and rear setbacks but is concerned north facing amenity space will not be utilized unless a larger area is provided.
- Felt the front setback amenity space should be designed and programmed to encourage interaction between residents and the neighborhood.
- Supported the proposed roof deck. Felt noise up high is less impactful than noise at ground level.

Density [Note: These are not design related issues.]

- Concerned about future tenant demographic for microhousing.
- Supportive of increased density and height.

Architectural Concept

- Felt the scale and materiality design inspiration of building should respond to adjacent context.
- Would like to see a contemporary architectural style with references to the existing neighborhood context.

Other

- Felt more street trees should be provided in the planting strip.
- Concerned about adequacy of public utilities for number of units proposed.
- Concerned solid waste and recycling storage space is not adequately sized for number of residents in the building.
- Felt solid waste and recycling should be located within the building.
- Noted that crossing 15th to the bus stop requires crossing 5 lanes of traffic at 62nd.
- Concerned that entrance meet ADA accessibility.

SECOND EARLY DESIGN GUIDANCE MEETING: January 13, 2014

The packet includes materials presented at the 2nd Early Design Guidance meeting, and is available online by entering the project number at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp

or contacting the Public Resource Center at DPD:

Address: Public Resource Center
700 Fifth Ave., Suite 2000
Seattle, WA 98124
Email: PRC@seattle.gov

PUBLIC COMMENTS

Several members of the public were in attendance at the Recommendation meeting held on January 13, 2014. The following comments, issues and concerns were raised:

- Supported of the window offset and blank façade proposed across from the primary living space windows.
- Concerned about shadow impacts on residential buildings to the northeast.
- Concerned about noise generated from the rooftop deck at night.
- Encouraged use of sound wall to mitigate noise impacts from rooftop deck.
- Questioned the need for a rooftop deck.
- Felt the rooftop deck should be programmed as a lower noise generating use, such as a garden, rather than a party space.
- Concerned about lack of parking provided.
- Encouraged use of light materials facing adjacent residential uses to maximize light reflectivity.
- Encouraged use of natural wood and warmer material colors; discouraged use of industrial materials.
- Concerned about the location of the dumpsters, particularly the smell and noise generated by moving the dumpsters to the street.
- Concerned insufficient space is provided for the solid waste and recycling.
- Supported the modulation provided on each façade of the building.

FIRST EARLY DESIGN GUIDANCE: August 26, 2013

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

The Neighborhood specific guidelines are summarized below. For the full text please visit the [Design Review website](#).

EARLY DESIGN GUIDANCE:

- 1. Massing and Building Location.** The Board requested further analysis of the preferred massing alternative in relationship to adjacent context.
 - a) The Board noted that Massing Option 1 provided a code complying setback alternative of Massing Option 3 (the preferred option). The Board preferred the code complying alternative and noted that they were not inclined to grant setback departures unless the applicant can demonstrate how the design better meets intent of adopted Design Guidelines (A-1, A-5).
 - b) The Board noted that building massing, unit orientation, amenity spaces, solid waste and recycling storage and scooter parking should relate directly to adjacent uses and context (A-1, A-5).
 - c) Massing Option 1 provides a front setback most consistent with adjacent residential buildings. The Board noted that the front façade modulation into the front setback was setback sufficiently from the side property lines to minimize bulk and shadow impacts on the adjacent development. The applicant should provide more information on how the projection impacts amenity spaces within the adjacent front setback (A-1, A-5).
 - d) The Board requested the applicant consider ways to minimize impacts of 4th story on adjacent uses. The applicant should consider options such as upper level setbacks, modulation, fenestration and/or material application (A-1, B-1).
 - e) The Board noted that each façade should include modulation and material application designed to minimize the perception of a uniform wall facing adjacent residential uses (B-1).

- 2. Privacy and Respect for Adjacent Sites.** The subject site is located between three existing residential buildings. The Board noted a thorough analysis of privacy impacts should inform the building and site design.
 - a) The Board requested additional analysis at the second Early Design Guidance Meeting demonstrating how the proposed development impacts privacy for adjacent residential properties to the north, east and west along shared property lines. The following diagrams should be provided:
 - A window overlay diagram locating the north, east and west neighbor's windows over the windows of the proposed structure
 - A site line study in plan view and section view to the north, east and west. The diagram should include site lines from window, balconies and upper level

decks to adjacent residential windows and yards. The analysis should include any major view obscuring vegetation or structures existing or proposed (A-5)

- b) The Board felt the existing site context warrants additional design efforts to mitigate obtrusive site lines into existing units and yards (A-5).
 - c) Staff notes that the applicant should return with mitigation options for areas of privacy concern. The use of vegetation and preferably architectural treatment to obscure site lines while maintaining light and views from the proposed structure is recommended. Possible techniques include: strategic placement of tall, year round foliage along the property line, minimize large picture windows extending to ground level when facing adjacent windows, minimize windows, window size, or utilize translucent windows when facing primary living space windows of the existing structures. Decks may utilize screen wall and/or louvered balcony rails to obscure direct site lines from balconies and windows into adjacent structures windows and yards (A-5).
 - d) The Board agreed that the proposed roof deck setback from the outer wall line was necessary to meet the criteria of guideline A-5. The setback will help maintain privacy for adjacent residents and minimize noise impact of deck on adjacent residents. The Board encouraged the setback area be provided as a landscape planter or another treatment that prohibits this area as a usable gathering space (A-5)
3. **Location of Building Support Spaces and Alternative Transportation Parking.** The Board was concerned about the lack of information provided for the programmatic spaces necessary to support the building functions and residents.
- a) The Board requested a basement floor plan included within the next design review packet (A-1).
 - b) The Board requested additional information at the Second Early Design Guidance meeting including a) location for mechanical equipment used to support the building, b) an accurate size and location for solid waste and recycling as required by the City, c) confirmation from SDOT that a substandard curbcut will be allowed in the right-of-way (A-1).
 - c) The Board noted that each support space including mechanical, solid waste and recycling, and scooter parking must be integrated into the overall building and site design (A-1).
 - d) The Board was not supportive of scooter parking within the required front setback. The Board noted that parking location in this area would require an additional design review departure (A-1).
 - e) The Board was supportive of the alternative transportation provided on site but felt the scooter parking should be located in a secure area on the site to avoid theft and minimize visual impacts for adjacent structures and the pedestrian on the sidewalk (A-1).
4. **Amenity Space within the Front Setback.** The Board was supportive of the applicant's intention to create a front setback amenity space which adds eyes to the street and encourages integration between neighbors.

- a) The Board noted that the success of the front setback space will largely depend on the design and program of the space. The applicant should investigate and provide more information on how the design will support chance community interaction (A-1).
5. **Architectural Concept.** The Board felt the architectural concept should be further refined at the Second Early Design Guidance Meeting.
- a) The Board requested more information on how the proposed architectural concept would be integrated into the existing neighborhood context (C-2).
 - b) The Board did not feel that the development needed to duplicate the existing architectural context but felt that the design should relate to street context. The applicant should investigate ways in which design details, building modulation, fenestration or material applicant can be sensitive to the existing context (A-5)

SECOND EARLY DESIGN GUIDANCE: January 14, 2014

At the Second Early Design Guidance meeting, the Board discussed the response to the EDG and offered the following recommendations for the proposal to meet the applicable Design Review Guidelines identified at the EDG meeting.

1. **NW 62nd Street façade.** The Board noted that most of the buildings along NW 62nd Street are three stories tall creating a consistent street wall context.
 - a) The Board agreed the 4-story massing and architectural concept should be informed by the existing 3-story street wall context. The Board suggested including a stronger horizontal datum line with an upper level setback at the fourth floor level (A-2).
2. **Open Space programming.** The development is surrounded by existing residential units on three sides: north, west and east. The Board agreed that the amenity space location and programming requires additional attention in order to minimize noise impacts on adjacent residential uses.
 - a) The Board would like to see open space maximized at the ground level rather than on the roof. The Board requested information and a design that shows how the ground level open spaces will be programmed at the recommendation stage (A-5, A-7).
 - b) The Board requested a developed roof deck design to encourage day uses generating less noise, such as urban agriculture. The Board felt programmed gathering places should be located to minimize noise impacts to adjacent residential units (A-5, A-7).
 - c) The Board requested more information about the planting proposed at roof level. The Board felt the landscaping provided at the perimeter of the roof deck should be designed and irrigated for minimal maintenance (A-7, E-2).
3. **Trash and Recycling.** The Board felt the response to guidance provided at EDG was not adequately addressed. The Board agreed the intensity of the development, with 27 units, warranted locating the solid waste and recycling within the building to minimize noise and odor impacts on adjacent residential units.
 - a) The Board encouraged the applicant to re-examine the ground floor plan. The Board noted the building corners are more appropriate for residential units which allow direct access to open space and windows openings on two sides. The Board felt

- building support services, including solid waste and recycling storage space should be located mid-façade to minimize the travel distance to the street for pickup (A-1, D-6).
- b) The Board agreed relocating the solid waste within the structure will allow additional amenity space opportunities at ground level and will minimize noise and odor impacts on adjacent residential units (A-5, A-7 and D-7).
- 4. Side Setback Treatment.** The Board would like to see the 5 foot side setback maximized to create a great walkable environment with extensive vegetation.
- a) The Board felt the pedestrian walkway width should be minimized to provide a greater depth of landscaping buffer. The Board noted the landscaping may vary location to create visual interest, while also functioning as screening at key locations along the property line and adjacent to ground level windows (A-7, D-7).
- b) The Board encouraged the applicant to include direct connections between the ground level units and the walkways provided at the perimeter of the site. The Board felt the direct access would create more livable ground level units, create a sense of ownership of the setback space, and provide more eyes on the setback (A-7, D-7).
- c) The Board would like to see more landscaping throughout the site, particularly at the perimeter and on the roof (E-2).
- 5. Materials.** The Board noted the building exterior should be constructed of durable materials.
- a) The Board encouraged the use of materials found in residential buildings. The Board also encouraged the use of light, warm materials to maximize light reflectivity, and wood to provide a finer grain of texture (C-4).

FINAL RECOMMENDATION MEETING: August 11, 2014
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http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp

or contacting the Public Resource Center at DPD:

Address: Public Resource Center
700 Fifth Ave., Suite 2000
Seattle, WA 98124

Email: PRC@seattle.gov

PUBLIC COMMENTS

Several members of the public were in attendance at the Recommendation meeting held on August 11, 2014. The following comments, issues and concerns were raised:

- Expressed concern that an unmaintained planting strip in the right-of-way will turn into weeds.
- Felt the proposed building was a great improvement over the existing building on site.
- Expressed concern about lack of on street parking and potential parking impacts from increased density on site.

PRIORITIES & BOARD RECOMMENDATIONS

At the Recommendation meeting, the Board discussed the response to the EDG and offered the following recommendations for the proposal to meet the applicable Design Review Guidelines identified at the EDG meeting.

1. Massing and Site Design. The Board agreed that the revised design, which incorporated solid waste and recycling storage space within the building, provided an improved massing design consistent with 2nd EDG guidance.

- a) The Board recommended a condition to relocate the door to the solid waste and recycling storage space away from the residential entry along east façade (D-6).
- b) The Board recommended a condition to resolve the location for solid waste and recycling storage staging within the right-of-way planting strip (D-6).

2. Side Setback Treatment. The Board provided mixed opinions about the revised ground plane design, which provides direct access from ground level unit to the side setback walkway. Ultimately the Board agreed that direct access would benefit some residents.

- a) The Board recommended a condition to provide covered entries for the ground level units (C-4).
- b) The Board was concerned with the perceived security of ground level units and amenity space at the rear of the site. The Board recommended a condition to provide a gate, within the east and west setbacks, along the pedestrian pathways, to provide a sense of security (A-7).

3. Color and Material Application. The Board felt that the street façade needed further refinement and the overall material and color application be simplified.

- a) The Board recommended a condition to provide durable material for the decking (C-4).
- b) The Board recommended a condition to simplify material and color application. The Board expressed support for a uniform material application on all floors. The Board clarified that the use of panels, rather than lap siding, related better to the neighborhood context and architectural concept (C-4).
- c) The Board recommended a condition to investigate an upper level setback at floor 4 on the street facade as a response to the existing three story residential context. The Board felt the planner should determine if the upper level setback provided a better architectural response than the current proposed design (B-1, C-4).

Site Planning

A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

- A-2 **Streetscape Compatibility.** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.
- A-5 **Respect for Adjacent Sites.** Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.
- A-7 **Residential Open Space.** Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.
- A-8 **Parking and Vehicle Access.** Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.

B. Height, Bulk and Scale

- B-1 **Height, Bulk, and Scale Compatibility.** Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.

C. Architectural Elements and Materials

- C-4 **Exterior Finish Materials.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

D. Pedestrian Environment

- D-6 **Screening of Dumpsters, Utilities, and Service Areas.** Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.
- D-7 **Personal Safety and Security.** Project design should consider opportunities for enhancing personal safety and security in the environment under review.

E. Landscaping

- E-2 **Landscaping to Enhance the Building and/or Site.** Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.

DEVELOPMENT STANDARD DEPARTURES

At the time of the Final Recommendation meeting no departures were requested.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated August 11, 2014, and the materials shown and verbally described by the applicant at the August 11, 2014 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the three of the five Design Review Board members recommended **APPROVAL** of the subject design. The Board recommends the following **CONDITIONS** (Authority referred in the letter and number in parenthesis):

1. Relocate the door to the solid waste and recycling storage space away from the residential entry along the east façade (D-6).
2. Resolve the location for solid waste and recycling staging within the right-of-way planting strip (D-6).
3. Provide covered entries for the ground level units (C-4).
4. Provide a gate within the east and west setback, along the pedestrian pathway, to provide a sense of security (A-7).
5. Provide durable material for the decking (C-4).
6. Simplify material and color application by providing a uniform panel material on all floors (C-4).
7. Investigate an upper level setback at floor 4 on the street facade as a response to the existing three story residential context. The planner should determine if the upper level setback provided a better architectural response than the current design (B-1, C-4).

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. Reflects inconsistent application of the design review guidelines; or
- b. Exceeds the authority of the Design Review Board; or
- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or
- d. Conflicts with the requirements of state or federal law.

Subject to the following conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

At the conclusion of the Recommendation meeting held on August 11, 2014, the Board recommended approval of the project with the following conditions:

1. Relocate the door to the solid waste and recycling storage space away from the residential entry along the east façade (D-6).

2. Resolve the location for solid waste and recycling staging within the right-of-way planting strip (D-6).
3. Provide covered entries for the ground level units (C-4).
4. Provide a gate within the east and west setback, along the pedestrian pathway, to provide a sense of security (A-7).
5. Provide durable material for the decking (C-4).
6. Simplify material and color application by providing a uniform panel material on all floors (C-4).
7. Investigate an upper level setback at floor 4 on the street facade as a response to the existing three story residential context. The planner should determine if the upper level setback provided a better architectural response than the current design (B-1, C-4).

Five members of the Northwest Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with and accepts the conditions recommended by the Board that further augment the selected Guidelines.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the five members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

The applicant response to Recommended Design Review Conditions is shown on sheet A5.6 of the MUP plan set:

1. Door to waste and recycling storage relocated away from the residential entry.
2. See [sheet] A1.1 for concrete strip within right-of-way planting strip connecting curb to walkway for placing waste and recycling for pick-up. Size of concrete strip has been approved by Liz Kain.
3. Eaves over first floor units increased to provide covered entry's at ground level (see floor plans and elevations).
4. Gates added at the front of the building, east and west sides, before the entries to provide privacy and security to ground floor units (see site plan on A1.1).
5. Roof decking has been changed to composite (see sheet A5.5).
6. The color application has been simplified and now the building is made of light gray Hardie panels with no lap siding (see elevations, renderings and material palette on A5.5). Per the Planner's recommendation eaves have been changed to a dark blue to signify Ballard's Maritime heritage.
7. Upper level setback with a deck at the street facing facade of the 4th floor attached to a viewing room was explored but Planner determined that original massing should remain.

The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

Director's Decision

The Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departure with the conditions summarized at the end of this Decision.

II. SEPA ANALYSIS

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated March 28, 2014. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file, and pertinent comments which may have been received regarding this proposed action have been considered.

As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature or limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *"Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation"* subject to some limitations.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for many short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. Additional discussion of short and long term impacts, and conditions to sufficiently mitigate impacts where necessary, is found below.

Public Comment:

The public comment period ended on May 7, 2014. In addition to the comment(s) received through the Design Review process, other comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to parking, traffic, density, water quality, utilities, noise, and zoning compliance. Comments were also received that are beyond the scope of this review and analysis per SMC 25.05.

Short Term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Construction Parking and Traffic

The addition of truck trips and construction workers in the area would be expected to have adverse impacts to the existing on-street parking and traffic congestion on nearby arterials.

However, given the amount of proposed excavation (1,041 cubic yards), the number of truck trips is not anticipated to be significant and therefore mitigation of haul routes is not warranted beyond the existing requirements in place by Seattle Department of Transportation, per SMC 25.05.675.B.

The size of the development is also relatively small and the number of construction workers anticipated on site is likely anticipated to be comparatively small. The site is located near an arterial with frequent transit service (15th Ave NW), which may help to further reduce the number of traffic trips from construction workers coming to the site. Therefore, mitigation of parking impacts from construction workers is not warranted per SMC 25.05.675B.

Long Term Impacts

Long term or use-related impacts are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change

and global warming. While these impacts are adverse, they are not expected to be significant, therefore, no further mitigation is warranted.

Height, Bulk & Scale

The project went through a Design Review process which addressed the issue of Height, Bulk & Scale; see the above Design Review Analysis for details of the process and design changes.

Pursuant to SEPA Policy 25.05.675.G.2.c: Height, Bulk and Scale, “the Citywide Design Guidelines (and any Council-approved, neighborhood Design Guidelines) are intended to mitigate the same adverse height, bulk and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review process is presumed to comply with the height, bulk and scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk and scale policies that have undergone design review shall comply with the design guidelines applicable to the project.”

Additional SEPA Mitigation of height, bulk and scale is not warranted.

Historic Preservation

The existing structure on site is more than 50 years old. Seattle Department of Neighborhoods reviewed the existing structure and determined that it is not likely to be eligible for historic landmark designation (Landmarks Preservation Board letter, reference number LPB 441/14). No further mitigation is warranted for historic preservation impacts to the existing structures on site.

Parking and Traffic

As part of the environmental checklist, the project submitted a Traffic Analysis with Trip Generation and Parking Demand Study (1436 NW 62nd St, by William Popp Associates, dated June 23, 2014), and a Parking Utilization Study (by William Popp Associates, dated November 14, 2014).

The Traffic Analysis noted that the peak parking demand for this development is potentially as high as 19 vehicles, but the smaller unit size and location will likely result in a parking demand of 11 spaces.

The analysis of on-street parking utilization indicated that 83% of the parking spaces within 800 feet of this project are occupied in the evening hours, leaving approximately 169 spaces available for parking.

The DPD Transportation Planner reviewed the information and determined that the anticipated parking demand will not have a significantly adverse impact on nearby existing on-street parking.

SMC 25.05.675.M further notes that there is no SEPA authority provided for mitigation of parking impacts in portions of urban villages that are within 1,320 feet of frequent transit service.

This site is located in the Ballard Hub Urban Village and is within 1,320 feet of frequent transit service (the nearest stop is at 15th Ave NW and NW 62nd St; approximately 230 feet away with transit service by Metro's rapid ride D Line).

The Traffic Analysis indicated that the project is expected to generate a net total of 123 daily vehicle trips, including 9 net new AM Peak Hour trips and 12 net new PM Peak Hour trips. The Traffic Analysis acknowledged that this estimate is conservative and will likely be lower than the estimate, due to the small size of the proposed residential units and the location near transit and other mobility options. The DPD Transportation Planner reviewed the information and determined that the number of anticipated trips will not have a significant impact on nearby traffic conditions, and mitigation is not warranted per SMC 25.05.675.R.

DETERMINATION OF NONSIGNIFICANCE

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- ☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW [43.21C.030](#) (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC [197-11-355](#) and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to Certificate of Occupancy

1. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Lindsay King (206) 684-9218 or lindsay.king@seattle.gov).
2. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner Land Use Planner (Lindsay King (206) 684-9218 or lindsay.king@seattle.gov).

For the Life of the Project

3. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner Land Use Planner (Lindsay King (206) 684-9218 or lindsay.king@seattle.gov).

SEPA - CONDITIONS OF APPROVAL

None

Signature: Betty Galarosa for Date: April 30, 2015
Shelley Bolser, AICP, LEED AP
Land Use Planning Supervisor
Department of Planning and Development

IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.